

**DEPARTMENT OF PUBLIC WORKS
WHITMAN COUNTY
COLFAX, WASHINGTON 99111**

2023 BID FOR FUEL

NOTICE TO ALL BIDDERS:

Please contact Whitman County Operations Manager, Brian Wilson (509) 397-4622, if you have any questions.

WHITMAN COUNTY
STATE OF WASHINGTON

2023 BID FOR FUEL

INSTRUCTIONS TO BIDDERS

SEALED BIDS will be received by the Board of County Commissioners of Whitman County, Washington, at its office in the Whitman County Courthouse, Colfax, Washington, until the **21st day of February, 2023 at 10:30 a.m.**, Pacific Time, at which time they will be opened and publicly read. Handicap access can be obtained by the Mill Street entrance to the courthouse. **FAX BIDS WILL NOT BE ACCEPTED.**

EACH BID shall be separately sealed in an envelope addressed to the Board of County Commissioners with the name of the bidder and item bid, including time and date of opening, written plainly on the outside of the envelope and mailed to Whitman County Commissioners, Whitman County Courthouse, Colfax, Washington 99111. (No FAX accepted).

The Board of County Commissioners reserves the right to reject any or all bids or to accept the bid in which in its estimation best serves the interest of Whitman County.

All applicable taxes must be shown when called for in the proposal.

No bidder may withdraw his bid after the hour set for the bid opening thereof, unless award is delayed for a period exceeding thirty (30) days.

It shall be the Dealer's responsibility to furnish Federal Excise Tax Exemption Certificate, when applicable.

A certificate statement shall be furnished to Whitman County on off-shore items in excess of \$2,500. R.C.W. per 39.25.020.

Payment will be made thirty (30) days after delivery and final acceptance by Whitman County. All interest costs incurred to bidder must be computed in the original price bid, as no further compensation will be made.

BID SPECIFICATIONS

Bid will be awarded to the lowest and best bidder. The lowest bid will be determined by assuming that purchases for the year will be made in the following quantities:

- 1) #2 Clear or Dyed Ultra Low Sulfur Diesel Tank Truck Deliveries
Estimated 160,000 gallons**

- 2) Unleaded gasoline deliveries at an octane rating of 87 with no more than 10% ethanol. Estimated 25,000 gallons**

The contract will be subject to terms and conditions of this bid proposal, in effect for calendar year 2023 and renewable, by mutual consent, for up to three additional one year periods. During that period, individual orders may be placed with the successful bidder(s). The "quantities" noted in the bid represent our best estimate of the combined annual requirements of the County. As our actual usage is unknown, the quantities are not guaranteed. Bid prices are to be F.O.B. Whitman County and shall include pick up and delivery.

This agreement shall renew automatically on a year-to-year basis unless canceled by either party. Notice of cancellation must be submitted to the other party in writing at least sixty (60) days in advance of the termination of the initial term or subsequent terms.

In no event shall this agreement be renewed more than three (3) times after the initial term of the agreement.

The diesel fuel is to be delivered and unloaded, once a week minimum, or on a **keep full basis** at the following places: Colton, Pullman, Palouse, Lacrosse, Oakesdale, Colfax, St. John, and Landfill site, all in Whitman County, State of Washington. Vendor must have the availability of two tanker trucks.

The diesel and gasoline fuel bid will be awarded to one bidder. The bidder shall quote one price for all points within Whitman County regardless of where supply originates.

1) Diesel Fuel and Unleaded Gasoline

_____ Oil Company offers to sell and deliver to Whitman County, Washington, diesel fuel and unleaded gasoline under the following terms and conditions:

1. TERMS: Calendar year of 2023, and renewable, by mutual consent, for up to three (3) additional one year periods.

2. GRADE: The diesel fuel shall conform to the requirements of Grade No. 2 and 2D with a minimum cetane rating of 40 and a maximum sulfur content of 0.05 percent.
- 3 FEDERAL TAXES: Duly executed certification will be furnished by Seller to Whitman County covering Federal Tax Exemptions.
4. All items listed on this bid are estimated quantities and the buyer shall not be required to purchase any specific quantity during the term of this agreement.
5. Any tax and any increase in taxes now or hereto imposed, levied or assessed by any government authority affecting the sale or delivery hereunder shall be paid by Whitman County.
6. Deliveries shall be made within twenty-four (24) hours after the order is placed. No penalty shall be invoked for delays caused by acts of God, governmental action, accidents or other causes beyond the seller's control.
7. Whitman County reserves the right to cancel this agreement if any of the deliveries are delayed for reasons of neglect or carelessness on the part of the seller or if the quality of the product is reduced from that specified in this agreement.
8. The successful bidder agrees to furnish Whitman County evidence that the products sold under this agreement comply with the specifications whenever the quality of the product is questioned.
9. Whitman County reserves the right to reject any or all bids and to waive such specifications as it sees fit.
10. The successful bidder agrees to furnish Whitman County a Material Safety Data Sheet, according to the O.S.H.A. Hazard Communication Standard (29CFR 1910.1200) for each product supplied.
11. Octane rating: The unleaded gasoline shall meet an octane rating of 87 with 10% ethanol.

2) Fuel Additive

Whitman County is asking for a fuel additive to be used. The fuel additive must provide lubricity protection for injectors and pumps, improve power and fuel economy, keep fuel injectors clean, reduce exhaust smoke and contain a corrosion inhibitor.

The winter fuel additive must also lower the CFPP (Cold Filter Plug Point). Whitman County requires a -25 degree Fahrenheit CFPP diesel from

November 1st through February 28th. Supplier must attach description and specification of the type of fuel additive being offered with the sealed bid. The addition of #1 fuel, up to a 30% blend, may be needed to insure CFPP from December 1st through February 15th.

TESTING

The supplier will be required to test the fuel for CFPP (Cold Filter Plug Point) and cloud point December 1st at two Whitman County sites using two different sites each month and **submit** the results in writing to Brian Wilson, Operations Manager.

The vendor bid price will be the Value Added Amount (VAA) required to perform the contract. VAA is defined as the supplier margin required above the combination of the OPIS P.A.D. report price (OPRP), the fuel additive (FA) and the State Tax Requirement (STR) to supply the fuels for the contract. The OPIS P.A.D. report must be submitted with each bill.

Therefore, the delivered price of the fuel will be equal to $VAA + OPRP + FA + STR$.

The delivered contract prices for the fuels will be allowed to increase or decrease during the term of the contract based on a change in State Tax Requirement and/or a change in the vendor's certified supplies listed price for one of the following cities: Seattle, Pasco, Spokane, or Portland, as reported in the daily publication, Oil Price Information Service (OPIS). This publication is published Daily on Monday, except for the last weeks in June and December. The effective date of the price change will be on the Thursday following the date of the OPIS publication which reflects the change.

Whitman County Public Works will be the approving authority for adjustments to contract price structure. Prices will be determined daily based on OPIS and the procedure described above.

The vendor's margin will be preserved as the Value Added Amount (VAA) which will not change during the contract period, nor any subsequent renewal period.

NON-COLLUSION DECLARATION

I, by signing the proposal, hereby declare, under penalty of perjury under the laws of the United States that the following statements are true and correct:

1. That the undersigned person(s), firm, association or corporation has (have) not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the project for which this proposal is submitted.

2. That by signing the signature page of this proposal, I am deemed to have signed and have agreed to the provisions of this declaration.

NOTICE TO ALL BIDDERS

To report bid rigging activities call: **1-800-424-9071**

The U. S. Department of Transportation (USDOT) operates the above toll-free "hotline" Monday through Friday, 8:00 a.m. to 5:00 p.m., Eastern Time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report such activities.

The "hotline" is part of USDOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the USDOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

IN WITNESS WHEREOF the undersigned has caused this instrument to be executed (and its seal affixed, if corporation) by its duly authorized officers this _____ day of _____, 2023.

BILLING:

When billing the Value Added Amount (VAA) required to perform the contract for the dispensing of diesel fuel and unleaded gasoline. The actual delivered price of fuels will be equal to:

- 1) The Value Added Amount (VAA)
- Plus 2) The OPIS P.A.D. Report Price (OPRP)
- Plus 3) FA (Fuel Additive)
- Plus 4) The State Tax Requirement (STR)

Applicable Washington State Sales Tax to be added to invoice by successful vendor. Whitman County Public Works is not subject to Federal Fuel Taxes.

Brands of Diesel Fuel: _____

Delivery cost of #2 clear or dyed ultra-low sulfur diesel fuel **per gallon:** \$ _____

Cost of diesel fuel additive **per gallon:** \$ _____ (Summer) \$ _____ (Winter)

Delivery cost of Unleaded 87 octane gasoline **per gallon:** \$ _____

BASIS OF AWARD – TOTAL \$ _____

Bidder Information:

Date: _____

Company Submitting Bid: _____

By: _____

Title: _____

Address: _____

Phone: _____ FAX: _____

Dated this _____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS
WHITMAN COUNTY, WASHINGTON

ATTEST:

Chairman

Corey Mitzimberg, CMC
Clerk of the Board

Commissioner

Commissioner